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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/798,056	03/11/2004	Junzo Tokunaka	450100-04964	4967
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William S. Frommer, Esq. FROMMER LAWRENCE & HAUG LLP 745 Fifth Avenue New York, NY 10151				
EXAMINER				
TAKLE, MESEKER				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary**Application No.**

10/798,056

Applicant(s)

TOKUNAKA, JUNZO

Examiner

MESEKER TAKELE

Art Unit

2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 December 2011.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on ____; the restriction requirement and election have been incorporated into this action.
- 4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 5) ☒ Claim(s) 1-21 is/are pending in the application.
- 5a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 6) ☐ Claim(s) ____ is/are allowed.
- 7) ☒ Claim(s) 1-21 is/are rejected.
- 8) ☐ Claim(s) ____ is/are objected to.
- 9) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 10) ☐ The specification is objected to by the Examiner.
- 11) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 12) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-893)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____
- Paper No(s)/Mail Date ____

DETAILED ACTION

1. This communication is responsive to the Amendment filed 12/13/2011. Claims 1-21 are pending in this application. Claims 1, 8, 12 and 19-21 are independent claims. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action. This action is Final.

Claim Rejections - 35 USC § 103

2. Claims 1, 3-4 10-12, 14-15 and 21, are rejected under 35 U.S.C. 103 (a) as being unpatentable over Fuller et al. ("Fuller" US Patent No.: 6,833,865) in view of Arai ("Arai" US Patent No.: 6,642,959) and in further in view of Harper et al. ("Harper", US Patent No.: 6,476,817).

As to claim 1, Fuller discloses an information processing apparatus for handling a storage medium storing content data and metadata associated therewith (*Figure 2A (element 700)*), comprising:

an extracting section for extracting, from said metadata stored on said storage medium (*col., 4 lines, 24-35*),

wherein the extracting section performs automatic extraction in response to loading the storage medium and manual extraction in accordance with a user's operation of selecting the metadata to be extracted from a list of selectable metadata (*col., 4 lines, 24-35, paragraph [0050]*),

However Fuller does not explicitly disclose wherein when performing automatic extraction, the extracting section automatically searches storage area and storage location for the metadata in the storage medium.

Arai from the similar field of endeavor discloses wherein when performing automatic extraction, the extracting section automatically searches storage area and storage location for the metadata in the storage medium (such as, A digital camera stores captured picture data and E-mail address data inputted from a key entry unit in a flash memory so that they are associated with each other and then transfers the picture data and the E-mail address data to a personal computer via an I/O port or an infrared communication unit, abstract and col., 1 lines 50-63).

It would have been obvious to one of ordinary skill in the art to modify Fuller's teaching with the teaching of Arai, in order to allow the user to transmit a picture captured by the electronic camera to a desired destination terminal with ease and certainty.

Fuller further discloses wherein the information display unit displays user-selectable metadata in the metadata extraction window (*col., 1 line, 55-64, col., 4 lines, 30-45 and claim 20*).

However the modified Fuller and Arai do not explicitly disclose (a) an information display unit for displaying the extracted display data and the metadata extraction window onto said information display area.

Harper, from the same field of endeavor discloses (a) an information display unit for displaying the extracted display data and the metadata extraction window onto said information display area (*col., 2 line 62-64 and Figure 4*).

It would have been obvious to one of ordinary skill in the art to modify Fuller's and Arai's teaching with the teaching of Harper, because Harper's device eliminates the need of the display driver within the storage medium.

As to claim 3, Harper discloses wherein said information display area is exchangeable with another information display area. Yamaguchi from the same field of endeavor disclose wherein said information display area is exchangeable with another information display area (Figures 1 and 4).

As to claim 4, Harper discloses wherein said information display area is constituted by a rewrite sheet (*col., 4 lines, 50*).

As to claim 7, Harper discloses wherein said content data include at least video content data and said information display unit displays, in said information display area, thumbnail image data extracted from said video content data on the basis of said metadata (*col., 5 lines, 30-55*).

Claims 8 and 12 are similar in scope to claim 1 respectively, and are therefore rejected under similar rationale.

Claims 10 and 14 are similar in scope to claim 3 respectively, and are therefore rejected under similar rationale.

Claims 11 and 15 are similar in scope to claim 4 respectively, and are therefore rejected under similar rationale.

Claim 18 is similar in scope to claim 7, and is therefore rejected under similar rationale.

Claim 21 is similar in scope to claim 1, and is therefore rejected under similar rationale.

3. Claims 2, 5-6, 9, 13, 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fuller et al. ("Fuller" US Patent No.: 6,833,865) in view of Arai ("Arai" US Patent No.: 6,642,959) and Harper et al. ("Harper", US Patent No.: 6,476,817) in further in view of Bloch et al. ("Bloch" US Patent No.: 5,754,102).

As to claim 2, Fuller in view of Arai's and Harper do not disclose wherein said information display area is rewritable.

However Bloch from the same field of endeavor discloses wherein said information display area is rewritable (such as, "electric paper" system is that such a display can be re-written upon essentially limitlessly, col., 4 line, 50).

It would have been obvious to one of ordinary skill in the art to modify Fuller, Arai's and Harper's teaching with the teaching of Bloch.

The motivation to combine will provide for adding/deleting data to/from the storage media as desired.

As to claim 5, Bloch discloses, wherein said information display unit displays, in said information display area, said display data by coding at least a part thereof (col., 2 lines, 5-7).

As to claim 6, Bloch discloses a metadata editing section for editing said metadata in accordance with a processing result of said content data, wherein said extracting section extracts said display data also from the edited metadata (col., 3 lines, 23 -36).

Claims 9 and 13 are similar in scope to claim 2 respectively, and are therefore rejected under similar rationale.

Claim 16 is similar in scope to claim 5, and is therefore rejected under similar rationale.

Claim 17 is similar in scope to claim 6, and is therefore rejected under similar rationale.

4. Claims 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fuller et al. ("Fuller" US Patent No.: 6,833,865) in view of Arai ("Arai" US Patent No.: 6,642,959), Harper et al. ("Harper ", US Patent No.: 6,476,817), Bloch et al. ("Bloch" Us Patent No.: 5,754,102) and in further in view of Tehranchi et al. ("Tehranchi" US Patent No.: 6,873,435).

Claim 19 is similar in scope to claim 1, and is therefore rejected under similar rationale.

However Fuller in view of Arai's and Harper and in further in view of Bloch do not disclose information display unit displaying said display data as a barcode form by coding a part and a thumbnail image automatically.

Tehranchi from similar field of endeavor discloses information display unit displaying said display data as a barcode form by coding a part and a thumbnail image automatically, (such as, Bar codes have also been used for tracking and identifying images. In diagnostic imaging, for example, patient identification information can be optically encoded directly onto a film such as for X-rays, ultrasound, col., 3 lines, 35-40, Figure 1 and 2).

It would have been obvious to one of ordinary skill in the art to modify Fuller's, Arai's, Harper and Bloch's teaching with the teaching of Tehranchi.

The motivation to combine to provide, from an image processing apparatus, an output print generated from digital data, where encoded metadata identifying a data resource and image processing variables is coupled to the output print, and to provide a method for image processing using such encoded metadata.

Claim 20 is similar in scope to claim 19, and is therefore rejected under similar rationale.

Response to Arguments

5. Applicant's arguments filed 12/13/2011 have been fully considered but they are not persuasive.

Applicant argues that neither, Arai nor Harper, taken alone nor in combination, do not disclose wherein when performing automatic extraction, the extracting section automatically searches storage area and storage location for the metadata in the storage medium, the automatic searching starting in response to loading the storage medium.

The Examiner disagrees for the following reason:

Fuller invention is based on technologies relating to the automatic extraction of metadata descriptions of digital multimedia content such as still images and video. Fuller invention also incorporates audio analysis engines that are available from third parties within an extensible metadata "engine" framework. These engines perform sophisticated analysis of multimedia content and generate metadata descriptions that can be effectively used to index the content for downstream applications such as search and browse, Arai invention disclose digital camera stores captured picture data and E-mail address data inputted from a key entry unit in a flash memory so that they are associated with each other and then transfers the picture data and the E-mail address data to a personal computer via an I/O port or an infrared communication unit and Harper invention relates to removable data storage media as used with, for example, computers and other data-processing devices, such as floppy disks. In particular, Harper invention relates to a system whereby such removable media can be automatically labeled for visual identification thereof.

As noted in the previous office action, as well as being reiterated in this office action, it is well noted with citations at the end of appropriate limitations that ,Fuller in view of Arai and Harper disclose an information processing apparatus for handling a storage medium storing content data and metadata associated therewith (*see Fuller,*

Figure 2A (element 700)), an extracting section for extracting, from said metadata stored on said storage medium (see, Fuller, col., 4 lines, 24-35), wherein the extracting section performs automatic extraction in response to loading the storage medium and manual extraction in accordance with a user's operation of selecting the metadata to be extracted from a list of selectable metadata (see, Fuller, col., 4 lines, 24-35, paragraph (0050)), wherein when performing automatic extraction, the extracting section automatically searches storage area and storage location for the metadata in the storage medium (for example, a digital camera stores captured picture data and E-mail address data inputted from a key entry unit in a flash memory so that they are associated with each other and then transfers the picture data and the E-mail address data to a personal computer via an I/O port or an infrared communication unit, abstract and see Arai, col., 1 lines 50-63).

Fuller in view of Arai and Harper further disclose wherein the information display unit displays user-selectable metadata in the metadata extraction window (see, Fuller *col., 1 line, 55-64, col., 4 lines, 30-45 and claim 20*), an information display unit for displaying the extracted display data and the metadata extraction window onto said information display area (*see Harper col., 2 line 62-64 and Figure 4*).

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Inquiry

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to MESEKER TAKELE whose telephone number is (571)270-1653. The examiner can normally be reached on Monday - Friday 7:30AM-5:00PM est.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Mark Rinehart** can be reached on (571) 272-3632. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Meseker Takele/
Examiner, Art Unit 2141

/Mark Rinehart/
Supervisory Patent Examiner, Art Unit 2141